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December 3, 2002

To: Hal Jensen
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Docket Management Systems
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From: Gail Dunham, President
NATIONAL AIR DISASTER ALLIANCE/FOUNDATION

Date: December 3, 2002

Subject: Docket Number FAA 2002-13464 – Notice No. 02-17
Improved Seats in Air Carrier Transport Category Airplanes

The ***NATIONAL AIR DISASTER ALLIANCE/FOUNDATION (NADA/F)*** represents survivors and those who have lost loved ones on almost 100 aviation disasters, plus aviation professionals and the traveling public.

NADA/F strongly supports the SNPRM for Improved Seats in Air Carrier Transport Category Airplanes, however, the compliance date should be expedited, and quarterly reports of airline progress with compliance should be filed and made part of the public record.

If the directive from the **Airport and Airway Safety and Capacity Expansion Act of 1987** had been promptly implemented hundreds of people would be alive today. The technology and financial resources for improved seats in airplanes have been available for many years, and it is inexcusable to delay all or part of this rulemaking any longer.

NADA/F proposes that air cargo and all commercial aircraft also be required to comply with the improved and stronger passenger and crew seats. People on air cargo flights,
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A non-profit, representing those impacted by over 90 aviation disasters since 1995.

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commuter, or general aviation flights are not worth less than people on a Part 121 aircraft. Testing of applicable seats for aircraft other than Part 121, should be expedited.

We recommend that any consideration for cost benefit analysis be put aside, as the airlines have demonstrated that cost benefit analysis was not a reason for the delays for 15 years.

Airlines have quickly retrofitted passenger seats for marketing reasons to give passengers increased leg room, or re-configure seats per class of service, and we believe saving lives is more important than marketing.

The airline industry in the U.S. enjoyed a decade of prosperity. For example, industry profits in the U.S. were \$25 million a day during 1998. It is reported that United Airlines made \$4 million a day in profits during 1998. The airlines neglected to implement this safer seat initiative during that decade, when funds were definitely available, so they demonstrated that cost benefit analysis was NOT the reason for the delay.

Public Hearings have been held during the past decade, so this notice is not a surprise to anyone in the industry, and prompt compliance should be easier to accomplish.

NADA/F recommends that all newly constructed aircraft be equipped with safer seats by June 30, 2002, or sooner.

NADA/F recommends that all airlines file quarterly reports starting June 30, 2003, and quarterly thereafter, reporting on the progress of installing safer seats, by aircraft type, and number and percentage of aircraft converted.

NADA/F recommends that the FAA complete this final rule by January 31, 2003, at the latest, or earlier if possible.

NADA/F recommends that any aircraft replacing existing passenger seats after January 31, 2003, be required to install the safer seats.

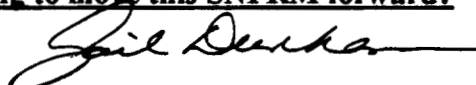
NADA/F recommends that the FAA and DOT require that all Part 121 passenger-carrying aircraft and comparable air cargo aircraft, be converted to safer seats within three years of the final rule, which is anticipated January, 2003.

NADA/F recommends that the FAA expedite any testing needed to proceed with safer seats for all aircraft.

NADA/F recommends that the military be directed by Executive Order, or whatever rule-making is available, to have all military aircraft upgraded with safer seats with compliance standards as high as, or higher than, commercial aircraft.

NADA/F recommends that the FAA do all possible to promote the safest seats as a harmonization standard with the JAA.

I have one question. Why did it take so long to move this SNPRM forward?



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